

Responses to the M&I Contractors Table of Questions (November 30, 2000)

II. Reclamation's Proposed 1997 Policy.

Administrative Proposal. Page 1-2.

"The goal of the M&I Water Shortage Policy was to develop a CVP-wide M&I water shortage provision that eventually would be negotiated with all CVP M&I contractors and incorporated into their contracts, provide a minimum level of water supply that, in combination with M&I contractors drought water conservation measures, would sustain urban areas during drought situations, and lastly provide sufficient information to urban contractors for use in development of future drought contingency planning. This proposal is not intended to adversely impact fulfillment of the environmental requirements of the CVPIA."

M&I Comments	Reclamation's Response
<p>1. The goal of the policy should reflect the need for a predictable, reliable, and high quality water supply. The policy should promote sound water management.</p>	<p>The goal of the M&I Water Shortage Policy was to:</p> <ul style="list-style-type: none"> • Develop a standard CVP-wide M&I Water Shortage Policy applicable to all CVP M&I Contractors, • Provide a minimum level of water supply that, in combination with M&I Contractors drought water conservation measures and other water supplies, would sustain urban areas during drought situations, and lastly • Provide sufficient information to M&I Contractors for their use in developing future drought contingency plans. <p>Under this policy, Reclamation is committing to provide a limited level of reliability to existing M&I contractors. Reclamation has not previously negotiated language in CVP contracts prior to 1994 providing any level of reliability in long-term water service contracts except in certain situations where Agriculture water would be reduced to 25 percent before M&I water was reduced.</p> <p>Water quality is a CALFED objective which Reclamation strongly supports. Because water quality is often a function of water availability, it should not be addressed in the water shortage policy. There is, however, specific language in the long-term contracts that addresses water quality. In addition, sound water management is promoted by policy considerations for supplemental water and extraordinary conservation efforts.</p>

M&I Comments	Reclamation's Response
<p>2. Contract language needs to be developed that defines the criteria for when shortage allocations of greater than, less than or equal to 75% are triggered.</p>	<p>Reclamation will include language in the contracts providing for the M&I water supply reliability.</p> <p>The goal is to provide M&I Contractors with an urban reliability of 75% of historic use up to 75% of contract entitlement. See the attached allocation table to determine when the M&I water shortage allocations of greater than, less than, or equal to 75% are triggered.</p> <p>Policy provides M&I is not shorted until the Irrigation water allocation is reduced to 75 percent of contract entitlement.</p> <p>When Irrigation Water is being allocated 75% of contractual entitlement, M&I will begin to ratchet down the same percentage reduction as Irrigation Water, with M&I water allocation starting at 100% of historic use and irrigation water allocation starting at 75% of contract entitlement. M&I water allocation will continue to be shorted until it reaches 75% of historic use and then M&I reliability will apply.</p> <p>M&I allocation will not be further reduced until the Irrigation water allocation is reduced to 25% of contract entitlement. Both allocations will ratchet down the same percent. However, at this point, Project allocation will be dependent on where water is available.</p>
<p>3. Definitions of "minimum level" and "sustain urban areas during drought situations" need to be established. Those definitions should reflect the different needs of residential, commercial, and industrial customers.</p>	<p>There are two minimum levels.</p> <p>The first minimum level is referred to as the M&I reliability which is 75 percent of historic use. This is an attempt to provide the M&I Contractors some reliability for planning purposes to sustain urban areas during drought situations. Historic use, as defined in the policy, should be consistent with the Contractor's needs for its residential, commercial, and industrial customers. This information should be consistent with the Contractor's needs analysis, as adjusted for growth, and water management plans. Reclamation will attempt to provide at least 75 percent of the Contractor's historic use, and the internal allocation among residential, commercial and industrial customers is the Contractor's responsibility.</p> <p>The second minimum level provided in the policy is public health and safety. The criteria for public health and safety will be consistent with that used by the State of California during times of such severe droughts or water shortages. The term, as we understand what it means under State law, is interior residential use, sanitation, and water for fire protection.</p>

M&I Comments	Reclamation's Response
<p><i>Administrative Proposal. Page 4.</i> “Reclamation proposed to simplify and clarify the Draft M&I Water Shortage Policy that was released for comment in February 1994 by reducing the policy from three levels to two. One level will show the minimum level of reliability to be 75 percent of historic use adjusted for growth⁶ and adjusted for quantities of water associated with the implementation of any extraordinary water conservation action and/or practice.⁷ The second level will reflect a public health and safety level.”</p>	
<p>4. Can handle M&I 75% allocation in extreme situation. What about shortages allocations during times when a “minimum level” is not needed?</p>	<p>See response to M&I Comment #2.</p>
<p>5. Need a method to predict allocations based on science and public review.</p>	<p>See papers on forecasting and water allocation. There are criteria for predicting shortages based on storage levels, inflows, accretions and depletions, and precipitation predictions. A combination of criteria is used; Shasta Criteria Critical Year Index, Sacramento Valley Critical Year Index (40/30/30), Sacramento River (4 Rivers) Index, San Joaquin Valley Critical Year Index (60-20-20). There are methodologies for projecting runoff into each reservoir, unregulated and unstored flows, accretions and depletions, and multiple linear regression models, forecast confidence limits, forecasts of Delta requirements, and hydrologic conditions specific to each division, i.e., American River's storage limitations and south of the Delta's pumping restrictions. As the water year develops, information becomes actual and supplies can be determined.</p>
<p>6. Define “public health and safety” criteria. How is this level determined?</p>	<p>See the paper on public health and safety. The criteria for public health and safety will be consistent, as much as possible, with that developed by the State of California (Department of Water Resources and Health Services). We understand the State will consider interior residential, sanitation, and fire protection for the public health and safety level.</p>
<p><i>Administrative Proposal. Page 6.</i> “As part of the historic use calculation for water shortage allocations, Reclamation would be willing to adjust the calculated urban contractor's historic use quantity if an urban contractor could demonstrate that it used its supplemental water supplies first before using CVP water supplies. The use of supplemental water supplies benefits the CVP during all water year types.”</p>	

⁶ “Adjusted for growth” refers to a process where by Reclamation reviews historical delivery records for past water usage and allows contractors to provide documentation to support any increases in the historical record baseline populations/industry. It would be capped at the level of full contractual amounts.”

⁷ “An extraordinary water conservation action or practice is considered to be any conservation action or practice implemented by an urban contractor that is more stringent than required by Reclamation's “Criteria for Evaluating the Adequacy of All Water Conservation Plans” dated September 30, 1996, as amended.”

M&I Comments	Reclamation's Response
<p>7. Agree assuming the adjustment referred to is upwards. Need more clarity on how and when supplemental water supplies will be considered.</p>	<p>If a contractor uses other supplies in lieu of CVP supplies such that use benefits the CVP as a whole, such supplies will be counted in historic use as if the contractor had used CVP supplies, provided there is an accounting method established in writing between Reclamation and the Contractor prior to including this use as historic use for CVP. Two examples are Santa Clara's reallocation agreement and Contra Costa's proposal for two water transfers.</p> <p>In addition for those water supplies that are counted towards historic use, if there is water available during dry years from this water supply it may be used to offset CVP water allocations during dry years up to the credit adjustment received.</p>
<p><i>Administrative Proposal. Page 7.</i> "Reclamation agrees with maintaining the same water shortage criteria as was applicable to the water before the transfer or conversion occurred on all actions after September 30, 1994. ...an urban contractor could request that a permanent conversion from an agricultural shortage to an M&I water reliability shortage be authorized provide that there are no adverse impacts to agricultural or other urban water supplies."</p>	
<p>8. What is significant about September 30, 1994? Agree with the concept that the conversion should avoid negatively impacting other contract supplies.</p>	<p>The September 30, 1994, date was selected because it was the end of the fiscal year in which the draft M&I Water Shortage Policy was released for comment. Reclamation wanted to provide reliability to those contractors that already committed M&I water supplies for buildout within their service areas. Using the September 1994 date as the cut off date also allows contractors who convert their use of water to M&I use after that date to complete adequate planning up front on how they plan to meet M&I demands during drought situations. The CVP does not have the capability to meet all "new" M&I development occurring in the service area. While the CVP is willing to provide limited reliability to existing and projected M&I users, as of 1994, the CVP needs to disclose to contractors who convert agriculture water to M&I use in the future that the CVP may not be in the position to provide reliable water supplies to future conversions and development in drought situations.</p>

M&I Comments	Reclamation's Response
<p><i>Administrative Proposal. Page 10.</i> "Reclamation interprets 'historic use' as actual water diverted to satisfy demand."</p>	
<p>9. "Historic Use" is problematic. There are a lot of adjustments requested, and in some cases there is no historic CVP demand established. Is there an alternate method that could be used for predicting and justifying demands that is based on standard practices; and subject to review by interested parties? Weather, soils, water quality, and other factors like alternate water supplies impact each contractor's calculation of "historic use" differently.</p>	<p>In the 1994 Draft M&I Shortage Policy, Reclamation proposed historic use to be the average CVP water deliveries during the last three years of normal water deliveries, adjusted for growth.</p> <p>In the 1997 Draft M&I Shortage Policy, deferred and said the calculation of historic use would be provided in the final M&I Shortage Policy.</p> <p>Our initial position paper provided historic use would be the average CVP water deliveries during the last five years of normal year water deliveries, adjusted for growth and extraordinary water conservation practices.</p> <p>However, after internal discussions with Reclamation's operations staff, we are proposing it be the last year of 100% allocation to the M&I contractors adjusted for growth, the consideration of supplemental supplies used in lieu of CVP water, and extraordinary water conservation practices. Allocations of 100% occurred in 1995, 1996, and 1998. Allocations of 90% south of the Delta and 100% north occurred in 1997 and 2000 and of 95% and 100% south to north respectively in 1999. Therefore we are confident that 100% allocations will occur frequently enough to represent a good baseline and an average is not necessary.</p>
<p>III. Minimum Level of Reliability.</p>	
<p><i>Administrative Proposal. Page 3-5</i> "...urban contractors need a minimum level of water supply reliability. ...water supplies available during below normal type water years require more stringent measures to ensure that available water is prudently and wisely used. ...urban contractors who receive this minimum level of reliability must be implementing significant water conservation practices."</p>	
<p>10. Need specific criteria for predicting shortages (suggest storage levels, inflows, and precipitation predictions be used).</p>	<p>See response to M&I Comment #5.</p>
<p>11. Need to be more specific on what conservation practices will need to be met.</p>	<p>Specific conservation and reclamation measures are defined in the <i>Standard Criteria for Evaluating Water Management Plans</i>. To receive the minimum level of reliability, the contractor must have developed and be implementing a water conservation plan that meets the then current criteria established in the <i>Standard Criteria for Evaluating Water Management Plans</i>, as reviewed and revised every 3 years. The current criteria was developed in 1999 and will be reviewed and revised if necessary in 2002. Long-term renewal contracts will also require the implementation of Best Management Practices issued by the California Urban Water Conservation Council for M&I water unless the Contracting Officer determines it inappropriate for a contractor.</p>
<p><i>Administrative Proposal. Page 3-5.</i> "...Reclamation proposes to implement such an M&I Shortage Policy in a way that minimizes impacts to agricultural contractors."</p>	

M&I Comments	Reclamation's Response
12. How will Reclamation do this?	This is a very difficult issue. We hope to achieve this by working with the contractors in the separate geographic areas and determine if the contractors themselves can assist in this process. A program such as the reallocation agreement among Santa Clara Valley Water District, the San Luis and Delta Mendota Water Authority, and Westlands Water District is one way local districts can work together to achieve a workable solution.
<i>Administrative Proposal. Page 9.</i> "Interior believes that implementation of conservation and reclamation measures should be an integral part of water supply planning by any water agency or contractor. ...a minimum level of reliability would be provided only to those contractors who have implemented significant water conservation practices."	
13. Need to define specific conservation and reclamation measures.	See response to M&I Comment #11.
<i>Administrative Proposal. Page 9.</i> "...support the concept that historical use should be adjusted for water conservation and/or reclamation provided that an urban customer could demonstrate that such conservation and/or reclamation practices were above and beyond the generally accepted water conservation and/or reclamation standards or practices. It is not Reclamation's intent when calculating historic use of water under this Administrative Proposal to harm any urban customer who has an effective water conservation and/or reclamation program."	
14. Need specific criteria used to determine practices that are "above and beyond." How about providing incentives?	<p>The baseline begins with what is required to implement the contractor's water management plan for Reclamation. Activities in addition to those best management practices (BMP) specified in the plan or the expedition of practices specified in the plan may be considered extraordinary conservation measures. Also, contractors who actively accelerate the implementation of a required BMP may get credit for this effort. Since implementation of best management practices is specific to conditions for each contractor, there will be no one metric applied to evaluate extraordinary practices. Each "extraordinary" water conservation measure will be evaluated by Reclamation to determine whether it should be considered an extraordinary practice. In addition, it should be recognized that a practice or action that is considered extraordinary in the year 2000, may be not be considered extraordinary in the year 2005.</p> <p>We hope that the incentives to the contractor are that during a year of reduced CVP water supply, the contractor's customers will have water to meet their demands.</p>
<i>Administrative Proposal. Page 9.</i> "Reclamation is committed to completing an analysis to identify and understand these impacts and to explore potential mitigation measures before any M&I water shortage policy is finalized."	
15. Is this done?	The study was completed. However, water operations is a dynamic process. Since the study was completed, significant changes have occurred, i.e. finalization of Section 3406(b)(2) proposal and EWA is starting to impact water purveyors, etc.
<i>Administrative Proposal. Page 10.</i> "Reclamation recognizes a legitimate concern raised concerning reliability and allocations of CVP water to urban contractors who have not yet used CVP water. ...Reclamation met with M&I contractors who had little or no historical Project water use and together, Reclamation and the M&I contractor(s), were able to determine an equitable water allocation."	

M&I Comments	Reclamation's Response
<p>16. Need specific approach to making allocations. Is there more than one equitable approach that may be utilized in different geographic locations?</p>	<p>Our approach to making allocations as explained in the position papers. However, depending on the service areas, different restrictions and water availability limitations apply. There are different geographic locations that may receive different allocations. The South of the Delta contractors have pumping requirements and restrictions, impacts from implementation of CVPIA Section 3406(b)(2), North of the Delta contractors have impacts from temperature control, the Friant Division contractors rely on water supplies from the San Joaquin River and storage is very limited, the American River Division contractors may not have sufficient water supplies available in Folsom Reservoir to meet the M&I demand in some years and no alternative water supply from CVP to help. Sly Park and Foresthill contractors must rely on the water supplies available from one reservoir.</p>
<p><i>Administrative Proposal. Page 10.</i> "In concept, Reclamation agrees that urban contractors within the same geographic area should receive the same water allocation; however, as stated in our Administrative Proposal, there may come a time when the availability of other water supplies is part of the decision making process."</p>	
<p>17. Define "same geographic area." Does this refer to diversion point? The contractor needs to retain the discretion of use of CVP supply as integral to overall water supplies.</p>	<p>"Same geographic area" means service area, not diversion point. The Friant Division, the American River Division, the Delta Division, the San Felipe Division, the San Luis Division, the Trinity Division, the Sacramento River Contracts, the Tehama-Colusa Canal are examples of geographic areas. There are also units like the Hidden Unit, the Buchanan Unit, Sly Park Unit, etc. Generally, contractors or water users within the same service area receive the same water supply allocations</p>
<p>18. Define when the availability of other water supplies becomes a part of the decision making process.</p>	<p>Reclamation believes that the availability of other water supplies become a part of the decision making process when the CVP water supplies are so short the irrigation water allocation is at 25 percent of its contractual entitlement and needs to be shorted further and the M&I water allocation will go below 75% of its historic use. This is when Reclamation may look at other sources of water available to contractors in an effort to balance the water supplies. Under these circumstances, Reclamation believes we could potentially be in a "severe drought" situation.</p>
<p><i>Administrative Proposal. Page 10-11.</i> "Interior's suggestion of a second tier for contractors with inadequate other supplies is only reasonable during extreme dry year conditions and, in such cases, the contractor should be expected to pay a premium price for such water." "...the concept of the second-tier water was added to solicit discussion..."</p>	
<p>19. Has this been explored more?</p>	<p>Reclamation is willing to discuss this. The baseline for Reclamation to participate in the two tier proposal would be that it would not impact other CVP contractors or other Project purposes. Reclamation envisions one possible second-tier as Reclamation's ability to facilitate water transfers between willing sellers and buyers. Reclamation could also help effectuate such transfers by being a party to operational exchanges.</p>

M&I Comments	Reclamation's Response
<p><i>Administrative Proposal. Page 11.</i> "An explanation of how to calculate historic use will be provided in the final M&I Water Shortage Policy paper. Reclamation will finalize its M&I Water Shortage Policy based on the premises described in this proposal unless modified as a result of impact analyses and the PEIS."</p>	
20. Has this been done yet?	See response to M&I Comment #9.
<p><i>Administrative Proposal. Page 12.</i> "The objective of the two-tier level of reliability would be to encourage the development of supplemental sources of supply and to discourage reliance on 'hardship' water from the CVP."</p>	
21. This needs analysis and discussion.	See response to M&I Comment #19.
<p><i>Administrative Proposal. Page 13-14.</i> M&I Contractors requested "Additional language should be added to the Administrative Proposal which clarifies the role of 'Urban Water Supply Reliability' with respect to the CVPIA environmental and transfer provisions." Reclamation's response was, "Interior would not expect an urban contractor to become a transferor during water short years."</p>	
22. Clarification needed.	CVP allocation for M&I water is based on historic use. Reclamation does not anticipate M&I water will be transferred during water short years, because allocations will be based on historic use. It was explained that 75% reliability was the bare minimum the M&I contractors could endure without implementing severe conservation measures. Unless there were special circumstances, it is assumed that they would not be able to transfer CVP water because the contractor would need those water supplies for use in their service area.
<p><i>Administrative Proposal. Page 13-14.</i> "Interior recognizes its stewardship responsibilities to the public and is sensitive to the needs of all the parties. It is our intent and hope to develop and implement policies in a manner that reflects the obligations and responsibilities entrusted to the Department of the Interior by the public."</p>	
23. Define where the "obligations and responsibilities" come from.	The Secretary of the Interior's general obligations for CVP are based on Reclamation law. More specifically, CVPIA Section 3401 states that, "The purposes of this title shall be — (f) to achieve a reasonable balance among competing demands for use of Central Valley Project water, including the requirements of fish and wildlife, irrigation, municipal and industrial and power contractors." The Secretary is responsible and obligated to carry out the goals and intent of CVPIA.
<p><i>Administrative Proposal. Page 14.</i> "...the water supply contingency planning requirements contained in the California Act of October 12, 1995, should be more clearly connected to Reclamation's urban water supply reliability policy."</p>	
24. Needs clarification.	This is explained in the paper on Public Health and Safety. The 1999 <i>Standard Criteria for Evaluating Water Management Plans</i> , Section 1.H requires the Contractor to attach a copy of the Contractor's irrigation and/or urban water shortage policies, describe how reduced water supplies, including hardship water are allocated, describe the Contractor's policies that address wasteful use of water and describe enforcement methods. Reclamation intends to expand this section to require the Contractor provide Reclamation a copy of their urban water management plan required by California State Act of October 12, 1995 and the Contractor's estimated public health and safety levels.

M&I Comments	Reclamation's Response
IV. Alternative Water Supplies	
<p><i>Administrative Proposal. Pages 5-7.</i> "It is not Reclamation's intent to penalize any contractor who has a supplemental source of water supply when calculating the minimum level of water supply during water shortages. The decision of whether Reclamation will consider other sources of water supply available to its M&I contractors depends on the overall water year type and CVP system operational constraints."</p>	
<p>25. Need better criteria for when other sources are a factor. For example, what water year type and what operational constraints impact the decision to look at other supplies?</p>	<p>See response to M&I Comment #18.</p>
<p><i>Administrative Proposal. Pages 5-7.</i> "Reclamation will need to work with the contractors with diversified supplies on a contractor-by-contractor basis to ensure that Reclamation's policy does not encourage water use simply to increase the amount calculated as an urban contractor's historic use for purposes of having a larger allocation during critical water years."</p>	
<p>26. Need a standard practice or procedure applied to all.</p>	<p>See response to M&I Comment #7.</p>
<p><i>Administrative Proposal. Pages 5-7.</i> "...to encourage other M&I contractors to firm up their existing supplies, Reclamation could propose a two-tier level of reliability. The first tier would be given to M&I contractors as a minimum reliability level regardless of other supplies. The second tier would be a higher percentage, but would require an M&I contractor to pay a charge for this additional level of reliability."</p>	
<p>27. This needs analysis and discussion.</p>	<p>See response to M&I Comment #19.</p>
<p>28. Other urban contractors state they do not have the financial resources to develop alternative sources of supply, and they need greater protection in shortage situations.</p>	<p>When the irrigation allocation is at 25 percent of contract entitlement and Reclamation needs to reduce the irrigation allocation further and possibly reduce the M&I allocation below 75% of historic use, Reclamation will look to contractor's other sources of water supply. Reclamation will take into consideration M&I contractors that do not have alternatives sources of water or the financial resources to develop alternative sources during years of severe water shortage, i.e. public health and safety. However, providing of greater protection to some urban contractors would cause further impacts to other contractors and would act as a disincentive to contractors that did develop alternate water sources only to have them offset in critical years.</p>
<p><i>Administrative Proposal. Page 11.</i> "Reclamation proposes to consider other sources of water supply, in conjunction with water year type and CVP operational considerations, on a contractor-by-contractor basis when setting minimum levels of reliability."</p>	

M&I Comments	Reclamation's Response
29. Under no circumstances, other than a declared emergency or severe drought (of the health-and-safety level), should a contractor get a CVP allotment that is based in whole or in part on the fact that the contractor has acquired water through transfers or obtained other supplies for use in a drought. This response confuses when alternate supplies are taken into consideration.	See response to M&I Comment #18.
V. Conversion from Ag to M&I	
<i>Administrative Proposal. Page 7.</i> "Interior believes that the draft M&I Water Shortage Policy, once finalized, should apply only to that portion of CVP water used historically for M&I purposes and identified as projected M&I demand as of September 30, 1994."	
30. What if demand projections changed after September 30, 1994?	See response to M&I Comment #8.
<i>Administrative Proposal. Page 7.</i> "... an urban contractor could request that a permanent conversion from agricultural shortage to an M&I water reliability shortage be authorized, provided that there are no adverse impacts..."	
31. Define the criteria for determining "adverse impacts."	The criteria has not been developed. Both Reclamation and other CVP contractors have tried to develop criteria but in those situations adverse impacts occurred. We defined adverse impacts as reducing water supplies for other Project purposes.
<i>Administrative Proposal. Page 12-13.</i> "...this urban reliability policy should only apply to M&I that has been historically used and identified as projected demand as of September 30, 1994. Interior believes that any water from a permanent transfer or assignment of CVP water that occurs after September 30, 1994, from agricultural to M&I purposes should retain the agricultural shortage. The transferee or assignee may request that water obtained be eligible for M&I reliability, but any adverse impacts to agricultural water supplies must be fully mitigated by the transferee or the assignee."	
32. What is the significance of 9-30-94? Need to explore regional issues related to conversion of Ag to M&I.	See response to M&I Comments #8.
VI. Area of Origin.	
<i>Administrative Proposal. Page 13-14.</i> "Of critical importance to this and other Administrative Proposals will be how Reclamation intends to interpret and incorporate 'area of origin' provisions into the implementation of the CVPIA. We strongly encourage that this interpretation includes reference to and satisfies the provisions of the Delta Protection Act (DPA)." "Under the Coordinated Operations Agreement, the CVP could work out an arrangement with the State Water Project (SWP) to share responsibility for providing contractors with "an adequate water supply" as required by the DPA. The SWP recognizes 100 percent reliability for water users in the area of origin. The CVP should also recognize its responsibility under the DPA."	

M&I Comments	Reclamation's Response
33. How does Reclamation intend to implement state laws concerning area/watershed of origin and Delta Protection in dealing with shortages?	Reclamation recognizes and complies with California's area of origin statutes in its operation of the CVP. These statutes do not, however, grant any CVP contractor or CVP purpose of use any special priority or preference to water over any other CVP contractor or CVP purpose of use. Therefore, the area of origin statutes of California law do not establish any priority for the allocation of CVP <u>contractual water supplies</u> .
<i>Administrative Proposal. Page 14.</i> "Interior intends to provide its understanding of California law on area of origin priority in a separate document."	
34. When?	Draft was posted on the Internet.
VII. Questions.	
<i>Administrative Proposal. Page 2.</i> 35. "Draft Administrative Proposal on Urban Water Supply Reliability on June 14, 1996... comments on the draft proposal were received from seven parties." - Please provide copies of all comments received.	Posted on the Internet.
<i>Administrative Proposal. Page 2.</i> 36. "On October 12, 1995, California State Senate Bill 1011 (California Act) was signed into law. The California Act highlighted the concerns of the CVP urban contractors by emphasizing the critical importance of urban water supply reliability by requiring urban suppliers to prepare a water shortage contingency analysis detailing specific actions they must take during water shortages. It also requires urban water suppliers to accomplish an assessment of the reliability of its water service to its customers." - Is Reclamation considering Urban Water Master Plans in its urban water reliability planning?	This is explained in the paper on Public Health and Safety. The 1999 <i>Standard Criteria for Evaluating Water Management Plans</i> , Section 1.H requires the Contractor to attach a copy of the Contractor's irrigation and/or urban water shortage policies, describe how reduced water supplies, including hardship water are allocated, describe the Contractor's policies that address wasteful use of water and describe enforcement methods. Reclamation intends to expand this section to require the Contractor provide Reclamation a copy of their urban water management plan required by California State Act of October 12, 1995 and the Contractor's estimated public health and safety levels.
<i>Administrative Proposal. Page 4.</i> 37. "Criteria for Evaluating the Adequacy of All Water Conservation Plans' dated September 30, 1996, as amended, supplemented, or replaced." - Please provide copies of this criteria.	Copies of the 1999 criteria are available in the packet that was handed out in the M&I water shortage meetings.

M&I Comments	Reclamation's Response
<i>Administrative Proposal. Page 6.</i> 38. "An analysis will be done to quantify any impacts and explore possible mitigation measures before this policy is finalized."- Has the analysis been done? Can we get copies?	See response to M&I Comment #15.
<i>Administrative Proposal. Page 10.</i> 39. "Reclamation is committed to completing an analysis to identify and understand these impacts and to explore potential mitigation measures before any M&I water shortage policy is finalized." - Has the analysis been done? Can we get copies?	See response to M&I Comment #15.
<i>Administrative Proposal. Page 6.</i> 40. "The two-tier level of reliability may be explored in future discussions." - Has this been explored?	See response to M&I Comment #19.
<i>Administrative Proposal. Page 11.</i> 41. "An explanation of how to calculate historic use will be provided in the final M&I Water Shortage Policy paper." - Has an explanation been developed?	See response to M&I Comment #9.
<i>Administrative Proposal. Page 14.</i> 42. "...implement policies in a manner that reflects the obligations and responsibilities entrusted to the Department of the Interior by the public." - Where are the "obligations and responsibilities" derived from?	See response to M&I Comment #23.
<i>Administrative Proposal. Page 14.</i> 43. "Interior intends to provide its understanding of California law on area of origin priority in a separate document." Has this been done yet? If not, by when?	See response to M&I Comment #33.

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